IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

APPEAL NO.563 OF 2005
IN
NOTICE OF MOTION NO.714 OF 2005
IN
SUIT NO.569 OF 2005

Indira Ramchandra Naik, through
her duly attorney Pratap D.
Mariwala & ors. ..Appellants

v/s.

Nalini Narayan Bhandari & ors. .. Respondents

Mr.A.C.Singh i/by Mr.D.R.Shah for the appellants.

Mr.N.M.Shah for the respondent Nos.9 and 10.

**CORAM : R.M.LODHA AND**
**P.V.KAKADE, JJ.**

**DATED : 2nd December, 2005**

**P.C.**

The learned counsel appearing for the parties agree that appeal may be disposed of in terms of the ad-interim order dated 5.5.2005 passed in this appeal whereby the defendants-respondents have been directed not to create any third party interest in the subject property without prejudice to their rights and contentions in the notice of motion.

2. The prayer is reasonable.

3. We, accordingly, order that during the pendency of the notice of motion, the defendants shall not create any third party right or interest in the suit property.

4. Hearing of the notice of motion is expedited.

5. Needless to say that notice of motion shall be disposed of by the learned motion Judge on its own merits uninfluenced by the ad-interim order.

6. Appeal is disposed of accordingly.

**(R.M.LODHA, J.)**

**(P.V.KAKADE, J.)**